

REMARKS / ARGUMENTS

Reconsideration of the application as amended is respectfully requested.

Before entry of the present amendment, Claims 1-14 were pending. There were six (6) separate series of rejections.

- 5 1. **Claims 1, 3, 4, and 6 are rejected under U.S. Patent No. 6,684,084 to Phillips, U.S. Patent No. 6,778,519 to Harrell et al., and U.S. Patent No. 5,646,635 Cockson, et al.**

10 U.S. Patent No. 6,684,084 to Phillips, assigned on its face to Ericsson Inc., is directed to powering telephone card connected with a PCMCIA port. This is an apparatus with a housing containing a peripheral device slot that contains a PCMCIA interface. A PCMCIA card is inserted within the slot, where the card is electronically connected to the interface. An adaptor is connected to the card which contains an antenna. The apparatus contains a power supply that supplies the card through the adaptor independent of the interface.

15 U.S. Patent No. 6,778,519 to Harrell et al., assigned on its face to 3Com Corporation, is directed to a computing system. A computer with a PCMCIA card sends and receives spread spectrum signals. These signals contain commands on a peripheral device, such as a video capture apparatus. The signal is received by a docking station and this station sends the appropriate command to the appropriate device. The system also has the capability of communicating information back to the PCMCIA card.

20 U.S. Patent No. 5,646,635 to Cockson et al., assigned on its face to Centurion International, Inc., is directed to a PCMCIA antenna. A PCMCIA card is electronically connected to a coaxial cable via a connector. A housing contains a circuit board and another circuit board is placed outside

the housing. Each circuit board contains a trace thereon which are connected to one another via a transformer. The coaxial cable is also electronically connected to the transformer. The coaxial cable is mechanically connected to the trace of the first circuit board. A joint secured to the housing enables the second circuit board to be moved into a deployed and non-deployed setting

5 The examiner cites in Phillips Fig 1 and Col. 3, Lines 39-42, which states:

"Referring back to Fig. 1, the illustrated radiotelephone card 12 is inserted into a PCMCIA slot 14 located within the housing 15 of an electronic device 16, such as a hand-held or lap-top computing device."

10 Fig. 1, Col. 2, Lines 55-57, which states:

"An antenna may be movably mounted to the adapter and electrically connected to the radiotelephone card."

Col. 3, Lines 65-67, which states

15 "In addition, a separate audio jack (not shown) may be provided for providing audio input and output to and from the radiotelephone card."

The examiner cites in Cockson et al., Figs. 10-15, Col. 5, Lines 49-53

20 "The swivel knuckle 22" rotates the antenna's upper radiator to a vertical positions, as illustrated in the drawings. The wire 62 which telescopically extends from the sheath 24" terminated in a top bushing which is beneath the cap 64."

The examiner cites in Harrell et al. Col. 3, Lines 27-30:

25 "It is a further object of the present invention to provide a portable computer having a PCMCIA card interface that is in a wireless communication system via an RF link to a plurality of peripheral devices."

And, Col. 8, Lines 1-8:

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"peripheral device include a mass storage device, a printer, a video capture device, an image scanning device, a local area network connection, a disk, tape, CD, or diskette drive, a copier, a facsimile transreceiving machine, a modem, an ISDN port, an ADSL port, a pager, a television, an audio visual device.

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Referring to the present invention, Claim 1 teaches tuning the antenna to a frequency of a corresponding wireless system. There is nothing taught in the cited references for correspondence to a specific wireless system as is taught by this invention. The examiner specifically states in the rejection that it is inherent to use a microphone and loudspeaker as a audio input and output device respectively. The examiner does not address, nor do the cited references suggest, using an audio interface block or coupling with a microprocessor. The cited references only disclose audio jacks, not specific devices to be attached. This combination goes beyond the inherent microphone and loudspeaker cited by the examiner.

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In reference to claim 3, the specific matching disclosed in this claim are not disclosed in the cited references, specifically against Phillips. In Claim 4, the examiner specifically states in the rejection that it is inherent to use a microphone and loudspeaker as a audio input and output device respectively. The examiner does not address, nor do the cited references suggest, using an audio interface block or coupling with a microprocessor. The cited references only disclose audio jacks, not specific devices to be attached. This combination goes beyond the inherent microphone and loudspeaker cited by the examiner.

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In Claim 6, the examiner specifically rejects this claim based on the finding that Phillips teaches connecting the modem with the PCMCIA. Phillips specifically teaches on male and female

connectors, while the present invention is directed to the arrangement of the electrical connector.

Phillips does not disclose anything regarding arrangement.

- 5 2. **Claims 2 and 7-11 are rejected under U.S. Patent No. 6,684,084 to Phillips, U.S. Patent No. 6,778,519 to Harrell et al., U.S. Patent No. 5,646,635 Cockson, et al, and U.S. Patent No. 6,088,648 to Shah et al.**

The examiner cites in Phillips the same disclosure as were mentioned above.

10 U.S. Patent No. 6,088,648 to Shah et al., assigned on its face to Mobile Information Systems, Inc., is directed to tracing vehicle location. The relevant portion of this invention is the display. The system has multiple display segments. The first segment shows a digital representation of a given area, such as a map. Other display segments can be used showing other pieces of information, such as statistics of specific objects on the map.

The examiner cites in Shah et al. Col. 9, Lines 60-66. Col.10, Lines 1-3:

15 "But it would be recognized that the specialized mobile radio may be any type of wireless communication means such as cellular telephone, frequency modulation (FM) carrier means, cellular digital packet data means (CDPD), satellite communication, wide area wireless communication network (WAN) such as a product called Ricoche sold by Metricom of Los Gatos, Calif., and others. The mobile radio modem can also be a data modem, PCMCIA card
20 modem, or the like for transporting data signals, voice signals, video signals, and the like."

And Col. 5, Lines 20-22:

25 The display shown in Fig. 5 can be divided into at least two regions or segments such as a raster display segment 530, a vector information display segment 532, and others.

The examiner cites in Harrell et al. are the same disclosures as were mentioned above.

In reference to Claim 2, this claim specifically teaches on a wireless communication system as a satellite link and a relay wireless communication system. Shah does not specifically teach of the relay system disclosed in this claim. In Claim 7, this claim teaches using three tuner cards, which is not taught by the cited references, specifically Shah et al. In Claim 8, this claim teaches using tuner cards cars which is not taught by the cited references, specifically Shah et al. In Claim 10, (This claim teaches using three tuner cards which is not taught by the cited references, specifically Shah et al..

In Claim 11, this claim teaches using tuner cards whish is not taught by the cited references.

3. Claims 5 is rejected under U.S. Patent No. 6,684,084 to Phillips, U.S. Patent No. 6,778,519 to Harrell et al., U.S. Patent No. 5,646,635 Cockson, et al, and WO Foreign Patent 9953437A1 to Shobara et al.

PCT Application WO99/53437 to Shobara et al. is in a foreign language, wherein the abstract is in English. The invention is directed to a PC card Frame Kit. The main portion of the frame kit has two panels that can be opened and then locked together.

The examiner cites in Phillips the same disclosure as were mentioned above.

The examiner cites in Shobara et al. the abstract and Figs. 1-9:

"A frame kit for a PC card, comprising a frame for holding a substrate assembly comprising a substrate and connectors attached thereto and a pair of panels for covering the upper and lower surfaces of the substrate assembly installed on the frame, each of the pair of panels having a rotatably engaged piece engaged rotatably with the frame at the rear end of the panel, having a front lock engaging piece for engaging the panels with each other in the locked state on the front end side of both sides of the panel, and also having a pressing piece press-fitted into the frame at at lease one side of the panel, the frame having a rotatably engaged piece groove for rotatably receiving the rotatably engaged piece at a rear end lever, and having a pressing grove for reciving the pressing piece at at least one lever corresponding

to the pressing piece.

- 5 4. Claims 12 and 13 are rejected under U.S. Patent No. 6,684,084 to Phillips, U.S. Patent No. 6,778,519 to Harrell et al., U.S. Patent No. 5,646,635 Cockson, et al, U.S. Patent No. 6,088,648 to Shah et al. and U.S. Patent No. 5,428,671 to Dykes et al., and U.S. Patent No. 6,917,646 to Chianale et al.

The disclosures in Phillips, Harrell et al, and Cockson et al are the same as were mentioned above.

10 U.S. Patent No. 5,428,671 to Dykes et al., assigned on its face to Compaq Computer Corporation, is directed to a modem for communication between a computer and a cellular phone. A host computer port is connected to a cellular phone port. The host computer sends commands to the cellular phone. The connection then converts the host computer commands into a format that can be received by the cellular phone. Once converted, the information is sent to the cellular phone.

15 The host computer command is then executed.

20 U.S. Patent No. 6,917,646 to Chianale et al., assigned on its face to STMicroelectronics S.A., is directed to circuitry for communicating over a transmission line. A modem is connected with a receiving line at its input and a transmit wire at its output. A transmission line is coupled to both the transmit and receiving line which allows signals to be passed between the transmission line and the transmit/receiving line. A detector is placed at the transmission line for determining the location of a start-of-communication signal.

The examiner cites in Dykes et al. Fig. 2, Col. 6 Lines 51 to Col. 8, Line 63. To paraphrase the portion of the cited reference, the computer in Dykes et al is bidirectionally connected to a UART comprising of several buses. A microprocessor organizes the data and a digital signal processor

performs all operations through algorithms designed for communication with a modem. The organization of the data is for voice, data, and video.

The examiner cites in Chianale et al. Fig. 1, Col. 2, Lines 44-52, Col. 3, Lines 32-34:

5 "According to an embodiment of the present invention, the circuit includes a modem having a nominal operating mode and a low-consumption operating mode, an output and an input of the modem being respectively connected to the transmit and receive lines, the detector being connected to switch the modem from its low-consumption operating mode to its normal operating mode when it detects said predetermined signal...A modem has an output and an input respectively connected to transmit and receive lines via amplifiers"

10 And, in Fig. 2, Col. 4, Lines 8-11:

"For this reason, in Fig. 2, a switch is provided to short-circuit the two output terminals of amplifier when circuit is in low-consumption mode."

15 In Claim 12, this claim specifically teaches on a wireless communication system as a satellite link and a relay wireless communication system. Shah does not specifically teach of the relay system disclosed in this claim. In Claim 13, this claim teaches verification, specifically handshake verification, that is not taught by the prior art.

20 5. Claims 14 is rejected under U.S. Patent No. 6,684,084 to Phillips, U.S. Patent No. 6,778,519 to Harrell et al., U.S. Patent No. 5,646,635 Cockson, et al, and U.S. Patent No. 5,566,226 to Mizoguchi et al.

The examiner cites in Phillips, Harrell and Cockson were the same disclosure as were mentioned
25 above.

The examiner cites in Mizoguchi et al. Fig. 2, Col. 3, Lines 24-25: "The subsidiary case is

pivotaly connected to a lower end of the main case by a hinge."

And, in Fig. 2, Col. 3, Lines 46-50

5 "The subsidiary case has a width and a thickness substantially equal to those of a PC card or an IC memory card which is recently brought into wide use and has a size designed in accordance with a predetermined standard, for example, a PCMCIA standard well known in the art."

10 In undertaking a determination of whether a reference, or a combination of references, renders a claim(s) obvious under 35 U.S.C. § 103(a), the examiner must show that the reference or combination of references teach or suggest every element of the claim(s) in question. MPEP § 706.02(j). In regard to the several rejections of the claims under 35 U.S.C. § 103(a), based upon the above arguments, it is felt that the differences between the present invention and all of these references are such that rejection based upon 35 U.S.C. § 103(a), in addition to any other art, relevant or not, is also inappropriate. However, by way of additional argument applicant wishes to point out
15 that it is well established at law that for a proper *prima facie* rejection of a claimed invention based upon obviousness under 35 U.S.C. § 103(a), the cited references must teach every element of the claimed invention. Further, if a combination is cited in support of a rejection, there must be some affirmative teaching in the prior art to make the proposed combination. See Orthopedic Equipment Company, Inc. et al. v. United States, 217 USPQ 193, 199 (Fed. Cir. 1983), wherein the Federal
20 Circuit decreed, "Monday Morning Quarter Backing is quite improper when resolving the question of obviousness." Also, when determining the scope of teaching of a prior art reference, the Federal Circuit has declared:

"[t]he mere fact that the prior art could be so modified should not have made

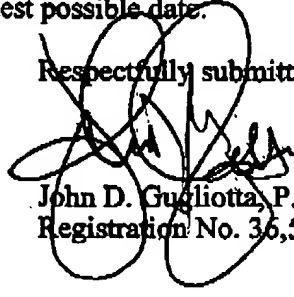
the modification obvious unless the prior art suggested the desirability of the modification." (Emphasis added). In re Gordon, 221 USPQ 1125, 1127 (Fed. Cir. 1984).

5 There is no suggestion as to the desirability of any modification of the references to describe the present invention. An analysis of the disclosures within the cited references fails to cite every element of the claimed invention. When the prior art references require a selective combination to render obvious a subsequent claimed invention, there must be some reason for the selected combination other than the hindsight obtained from the claimed invention itself. Interconnect
10 Planning Corp v. Feil, 774 F.2d 1132, 227 USPQ 543 (Fed. Cir. 1985). There is nothing in the prior art or the Examiners arguments that would suggest the desirability or obviousness of making a PC/PCS modem of the present functionality. Uniroyal, Inc. v. Rudkji-Wiley Corp., 837 F.2d 1044, 5 USPQ 2d 1432 (Fed. Cir. 1988). The examiner seems to suggest that it would be obvious for one of ordinary skill to attempt to produce the currently disclosed invention. However, there must be a
15 reason or suggestion in the art for selecting the design, other than the knowledge learned from the present disclosure. In re Dow Chemical Co., 837 F.2d 469, 5 USPQ 2d 1529 (Fed. Cir. 1988); see also In re O'Farrell, 853 F.2d 894, 7 USPQ 2d 1673 (Fed. Cir. 1988).

To summarize, it appears that only in hindsight does it appear obvious to one of ordinary skill in the pertinent art to combine the present claimed and disclosed combination of elements. To
20 reject the present application as a combination of old elements leads to an improper analysis of the claimed invention by its parts, and instead of by its whole as required by statute. Custom Accessories Inc. v. Jeffery-Allan Industries, Inc., 807 F.2d 955, 1 USPQ 2d 1197 (Fed. Cir. 1986); In re Wright, 848 F.2d 1216, 6 USPQ 2d 1959 (Fed. Cir. 1988).

Therefore, in view of foregoing amendments and clarifications, the applicant submits that allowance of the present application and all remaining claims, as amended, is in order and a formal Notice of Allowance is respectfully requested at the earliest possible date.

Respectfully submitted,


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